

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Cody Ian Engler

Docket No. 260181

LC No. 03-008680-FH

Christopher M. Murray  
Presiding Judge

Helene N. White

Brian K. Zahra  
Judges

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In lieu of granting defendant's delayed application for leave to appeal, the Court, pursuant to MCR 7.205(D)(2), remands this matter to the trial court for resentencing in light of *People v Hendrick*, 261 Mich App 673; 683 NW2d 218 (2004), lv gtd 471 Mich 914 (2004). The Court further orders that, on remand but before resentencing, the trial court shall make findings on the record or in writing as to the need for a competency evaluation.

We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 18 2005

Date

*Sandra Schultz Mengel*  
Chief Clerk